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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JAMES EDWARD HELLER
PLAINTIFF

VS.

JAMES DOHERTY, ROBERT START,
MARTIN WILLIAMS, PETER KESSLER,
MICHAEL SOFIA, GARY MCFARLAND,
PRIME CARE MEDICAL, PAUL JENNINGS,
MICHAEL TAEBERRY, and DAVID KEENHOLD
DEFENDANTS

) CASE NO. 1:CV-01-828

) MOTION FOR COURT TO
APPOINT PLAINTIFF
COUNSEL.

) JUDGE KANE

FILED
SCRANTON

OCT 17 2001

MOTION FOR COURT TO
APPOINT COUNSEL TO PLAINTIFF
PURSUANT TO 28 U.S.C. 1915.

PER

DEPUTY CLERK

Plaintiff, James Edward Heller, requests this Honorable Court to appoint him counsel for the following reasons:

1. Plaintiff is proceeding in forma pauperis and cannot retain counsel.

2. Plaintiff does not have a High School diploma, any legal education, or prior litigation experience.

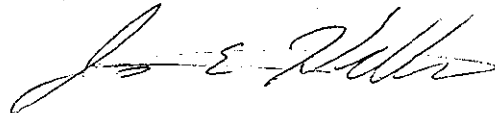
3. Plaintiff is incarcerated and is unable to perform an adequate factual investigation to the degree required.

4. Plaintiff is incarcerated and is having trouble pursuing his claim.

5. Case is likely to turn on credibility determinations, and it is more likely that the truth will be exposed if Plaintiff is represented by counsel trained in presentation of evidence and cross-examination.

WHEREFORE, the Plaintiff, James Edward Heller, respectfully requests this Honorable Court to grant his Motion and appoint him counsel.

Respectfully submitted,



JAMES EDWARD HELLER
PRO SE PLAINTIFF
2500 LISBURN ROAD
P.O. BOX 8837
CAMP HILL, PA 17001-8837

CERTIFICATE OF SERVICE

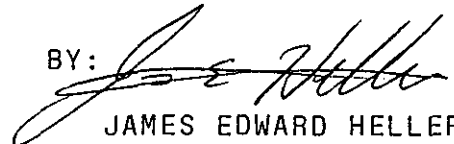
I hereby certify that on this date I served the foregoing MOTION FOR COURT TO APPOINT COUNSEL TO PLAINTIFF on the parties by mailing a true and correct copy to the parties of record at the following addresses by U.S. FIRST CLASS MAIL, postage prepaid.

Gerard Geiger, Esq.
712 Monroe Street
P.O. Box 511
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John R. Ninosky, Esq.
320 Market Street
P.O. Box 1268
Harrisburg, PA 17108-1268

DATED: 10/5/01

BY:



JAMES EDWARD HELLER
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